

**CERTIFICATE OF COMPLIANCE**  
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

The Department of Housing and Community Development (HCD) hereby certifies that it has, within 120 days of the effective date of the emergency building standards attached hereto which were filed with the Secretary of State on May 19, 2005 and refiled on October 26, 2005, given notice of the adoption thereof and afforded interested persons the opportunity to present statements, arguments, or contentions in a manner substantially similar to that provided by Government Code Sections 11346.2 – 11346.9.

*(Original Signed by Kim Strange on 12/19/05)*

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Signature

Date

**CERTIFICATION**  
**15-DAY NOTICE OF CHANGES IN THE REGULATIONS TEXT**  
**OF THE**  
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**REGARDING THE CALIFORNIA BUILDING CODE**  
**CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2**

The Department of Housing and Community Development (HCD) has complied with the requirements of Government Code Section 11346.8(c) with regard to changes in the regulation text of this particular rulemaking activity which was originally noticed for 45 days in the California Regulatory Notice Register. The required 15-day notice, with changes clearly indicated, was made available to the public on November 14, 2005 through December 6, 2005.

**(12/19/05)**

***(Original Signed by Kim Strange)***

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Date

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Signature

**FINAL EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING PROPOSED CHANGES TO THE  
2001 CALIFORNIA BUILDING CODE (CBC)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(DISABLED ACCESS TO MULTISTORY DWELLINGS)**

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**Legend for Express Terms:**

1. **California amendment (CA) brought forward without modification:** *All language will appear in italics.*
  2. **California amendment (CA) brought forward with modification:** *All language will appear in italics, modified language is shown underlined.*
  3. **New CBC language with new California amendment (CA):** CBC language shown in normal Arial 9 pt. *California amendments to CBC text is shown underlined and in italics.*
  4. **New California amendment (CA):** *California language will appear underlined and in italics.*
  5. **Repealed text:** Shown as ~~Strikeout~~.
  6. **Notation:** Authority and reference citations are provided at the end of each chapter.
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## CHAPTER 11A HOUSING ACCESSIBILITY

### SECTION 1102A [FOR HCD 1/AC] — DEFINITIONS

#### 1102A.3-C

**CARRIAGE UNIT.** *A dwelling unit with living space on one or more floors immediately above a Group U, Division 1, private garage or garages. The footprint of the garage or garages is used as the footprint for the remaining floor or floors of the dwelling units above and the garage level contains no habitable space.*

**NOTE:** *Dwelling units located over a common garage shall not be considered carriage units.*

### SECTION 1105A [FOR HCD 1/AC] — GROUP R OCCUPANCIES

**1105A.1 [FOR HCD 1/AC] General.** In Group R, Occupancies which are covered multifamily dwellings, shall be accessible as provided in this chapter. Public-use and common-use areas serving adaptable dwelling units shall be accessible.

**EXCEPTION:** *Multistory dwelling units in nonelevator buildings are not subject to these requirements because, in such cases, there is no ground-floor unit.*

*Multistory dwellings units shall comply with Section 1105A.2.*

#### **1105A.2 [FOR HCD 1/AC] Multistory Dwellings.**

**1105A.2.1 [FOR HCD 1/AC] Multistory Apartment or Condominium Dwellings in Buildings with No Elevator.** *This section shall apply to multistory dwelling units on the ground floor of buildings without elevators for which an application for a construction permit is submitted on or after July 1, 2005.*

**EXCEPTION:** *Carriage units as defined in Section 1102A.3-C and regulated only by the Department of Housing and Community Development as referenced in Section 101.17.9.1.*

*At least ten percent, but not less than one of the multistory dwelling units in apartment buildings with 3 or more dwelling units or condominiums with 4 or more dwelling units, shall comply with the following:*

1. *The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality tests in Section 1119A.*
2. *At least one powder room or bathroom shall be located on the primary entry level served by an accessible route and shall comply with the provisions of Section 1109A.*
3. *All rooms or spaces located on the primary entry level shall be served by an accessible route and shall comply with the provisions in this chapter. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.*
4. *Common use areas covered by this section shall be accessible as required by this chapter. Public use areas as defined in Chapter 2, Chapter 11A, and Chapter 11B of this code are subject to provisions of the Division of the State Architect (DSA/AC) and are referenced in Section 101.17.11.*

*The minimum number of multifamily dwelling units which must comply with this section shall be calculated using the total number of all multistory dwelling units in buildings on a site which are subject to this section. Any fraction thereof shall be rounded to the next highest whole number.*

**1105A.2.2 [FOR HCD 1/AC] Multistory Dwelling Units in Buildings with One or More Elevators.** *Multistory dwelling units, i.e., townhouse and condominium-type construction, contained in buildings with elevators shall comply with this section. For multistory dwelling units in buildings with elevators, the story of the unit that is served by the building elevator is considered a ground floor and the primary entry floor to the unit.*

*All rooms and spaces located on the primary entry floor shall comply with the following:*

1. At least one powder room or bathroom shall be located on the primary entry level.
2. All rooms or spaces located on the primary entry level shall be served by an accessible route and shall comply with the provisions in this chapter.

**1107A.5 [For HCD 1/AC] Ground Floors Above Grade.** When the first floor containing one or more covered dwelling units is a floor above grade, all units must be served by an accessible route.

**EXCEPTION:** ~~In multistory dwelling units, i.e., townhouse-type construction, access is not required for buildings without elevators. In multistory dwelling units in buildings with elevators, the story of the unit that is served by the building elevator is the primary entry to the unit. The primary floor shall contain a bathroom or powder room usable to a person in a wheelchair.~~ Carriage units as defined in Section 1102A.3-C and regulated only by the Department of Housing and Community Development as referenced in Section 1101A.17.9.1.

Multistory dwellings units shall comply with Section 1105A.2.

Authority: Section 17921, Health and Safety Code; and Section 12955.1, Government Code. Reference: Sections 12955.1 and 12955.1.1, Government Code.